

FILED

AUG - 6 2019

Clerk, U S District Court
District Of Montana
Billings

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. JOE ROY MICHAEL and JOSHUA JOCK CLAUSE, Defendants.	CR 18-101-BLG-SPW FINAL ORDER OF FORFEITURE
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WHEREAS, in the indictment in the above-captioned case, the United States sought forfeiture, pursuant to 21 U.S.C. § 853, of any real or personal property of the defendant used or intended to be used to facilitate, or as proceeds of said violation;

AND WHEREAS, on November 15, 2018, the defendant Clause entered pleas of guilty to count IV of the superseding indictment charging possession with

intent to distribute methamphetamine, and count V of the superseding indictment charging possession of a firearm in furtherance of a drug trafficking crime;

AND WHEREAS, on February 22, 2019, the defendant Michael entered a plea of guilty to count III of the superseding indictment charging conspiracy to possess with the intent to distribute and to distribute methamphetamine;

AND WHEREAS, the defendants agreed not to contest, or assist others in contesting, the forfeiture sought in the charging document to which the defendant plead guilty;

AND WHEREAS, by virtue of said guilty pleas, the United States is entitled to possession of said property, pursuant to 21 U.S.C. §§ 841(a)(1) and 853, and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure;

AND WHEREAS, beginning on May 7, 2019, and ending on June 5, 2019, the United States published on an official government internet site (www.forfeiture.gov), notice of this forfeiture and of the United States' intent to dispose of the property listed below in accordance with federal law, under 21 U.S.C. § 853(n)(1):

- \$16,900.00 in United States currency;
- a Smith and Wesson SD40VE .40 caliber Pistol (serial number HEY7850);

- a SKS Rifle (serial number 8166854);
- a SKS Rifle Trigger Guard (serial number 66854);
- a Handgun magazine, SCCY 9mm;
- 4 count of 9mm cartridges;
- SCCY, 9mm 229327 with holster;
- Magazine with 4 9mm rounds; and
- 100 rounds of 7.69x39 ammunition.

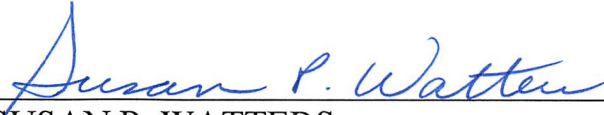
AND WHEREAS, the Court has been advised that no claims have been made in this case regarding the property and the United States is not aware that any such claims have been made;

ACCORDINGLY, IT IS ORDERED as follows:

1. The United States shall seize the forfeited property described above;
2. The right, title, and interest in the property is condemned, forfeited, and vested in the United States of America for disposition according to applicable law;
3. All forfeited funds shall be deposited forthwith by the United States Marshal into the Department of Justice Asset Forfeiture Fund in accordance with 21 U.S.C. § 853(n)(1); and

4. The Clerk is directed to send copies of this order to all counsel of record and the defendant. The Clerk is further directed to send three certified copies of this order to the United States Marshal.

DATED this 6th day of August, 2019.



SUSAN P. WATTERS
United States District Court Judge